IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 18798 of 2007(K)

PETITIONER:

P.D.UNNI, (PC-K 1570), S/O.A.DIVAKARAN,
KADAVIL HOUSE, POLLASSERRY, VAIKAM.P.O.
PINCODE - 686 141, POLICE CONSTABLE,
CHANGANASSERY POLICE STATION.

BY ADV. SRI.VIJU THOMAS
SMT.M.MEENA JOHN

RESPONDENTS:

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1. DISTRICT SUPERINTENDENT OF POLICE,
DISTRICT POLICE OFFICE, KOTTAYAM.

2. DIRECTOR GENERAL OF POLICE,
POLICE HEADQUARTERS, TVM-10.

3. SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
TRIVANDRUM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.18798 of 2007-K

Dated this the 19th day of June, 2007.

J U D G M E N T

The petitioner is a Police Constable, working in Kottayam District. While working at the Control Room, Kottayam, he has been transferred to Changanassery, by Ext.P2 general transfer order. It is an order transferring altogether 122 Police Constables, in Kottayam District. The petitioner submits, he has not been given a posting in one of the stations opted by him, whereas his juniors have been accommodated. It is also alleged that the transfer is vitiated by malafides as it was ordered, on political reasons. He has preferred Ext.P5 representation, against the transfer order. He submits, the transfer has been made, in violation of the norms governing the same.

2. This Court can interfere with a transfer order, if the same is shown to be illegal or vitiated by malafides. No illegality has been pointed out in this writ petition. The vague allegations of political influence are not sufficient to entertain the writ petition, on the ground that the impugned order is vitiated by malafides. So, no ground has been made out, warranting interference with the transfer

order, under Article 226 of the Constitution of India. But, if Ext.P5 is received and pending, the first respondent will consider and pass orders on it, adverting to the grievance of the petitioner regarding violation of transfer norms and preference given to his juniors, in the matter of posting.

Subject to that right, the Writ Petition is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS